

Serial No.: 09/302,024
Group Art Unit: 1652

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- 44. The isolated polypeptide of claim 42, wherein the isolated polypeptide comprises a heterologous amino acid sequence fused to the polypeptide sequence.
- 45. A composition comprising the isolated polypeptide of claim 44 and a pharmaceutically acceptable carrier.
- 46. The isolated polypeptide of claim 42, wherein the isolated polypeptide consists of the polypeptide sequence.
- 47. A composition comprising the isolated polypeptide of claim 46 and a pharmaceutically acceptable carrier. --
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Remarks

This Response & Amendment is responsive to the Office Action mailed on February 18, 2000 (Paper No. 7). Entry of this Response & Amendment are respectfully requested.

Claims

Claims 13, 14, and 16-19 were pending. Claims 13, 14, and 16-19 were subject to a five (5) way Restriction Requirement.

Claims 13, 14, and 16-19 have been canceled without prejudice or disclaimer of the subject matter therein. Moreover, the applicant reserves the right to prosecute, in one or more patent applications, the canceled claims, the claims to non-elected inventions, the claims as originally filed, and any other claims supported by the specification.

New claims 28-47, directed to Group I, have been added.

It is believed that entry of this Amendment will require payment of additional claim fees as set forth in the concurrently filed Fee Calculation Sheet. Applicants hereby authorize the Commissioner to charge the additional claim fees required by entry of this Amendment to Deposit Account No. 50-0258.

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Support

Support for new claims 28-45 is either apparent or as described in the text below. Specifically, support for polypeptides comprising at least 30/50 consecutive amino acids of SEQ ID NO:2 may be found in the specification at, for example, page 11, lines 17-26. Support for "pharmaceutically acceptable carrier" may be found in the specification at, for example, page 26, lines 6-16. Support for "fusion polypeptide" may be found in the specification at, for example, page 16, lines 14-23 and page 21, lines 1-8. No new matter is added.

Election/Restriction

Applicant elects to prosecute Group I (original claims 13-14), without traverse. While the election of Group I is without traverse, Applicant reserves the right to traverse restriction requirements between the other asserted claim groups.

Closing Remarks

Entry of the Response & Amendment and allowance of the pending claims are respectfully requested.

FEE DEFICIENCY

- ☒ IF ANY ADDITIONAL EXTENSION IS REQUIRED, PLEASE CONSIDER THIS PAPER A PETITION FOR SUCH A PETITION; ANY FEE FOR THE EXTENSION REQUIRED FOR CONSIDERATION OF THIS PAPER BUT NOT ENUMERATED ABOVE CAN BE CHARGED TO ACCOUNT NO. 50-0258.
- AND/OR**
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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas S. Deibert".

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